

SEC. 3. Take effect. This act shall take effect from and after its publication in the "Progressive Era," at Cedar Rapids: provided, that no expense for the publication of the same shall be incurred by the state.

Approved, January 21, 1853.

CHAPTER 84.

CODE OF IOWA.

AN ACT to amend section 1848 of the code of Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Attachments—abscond—refusal to give up. That in addition to the causes for which attachment may issue, as prescribed in said section, said writ shall be authorized upon the plaintiff's statement in his petition, sworn to as therein required, that the defendant is about to [144] abscond to the injury of his creditors, or that he has property, goods, or money, or lands, and tenements, or choses in action, not exempt from execution, which he refuses to give either in payment, or security of said debt.

Approved, January 24, 1853.

CHAPTER 85.

VERNON.

AN ACT to change the name of South Bentonsport to Vernon.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Change. That the name of South Bentonsport, of the county of Van Buren, be and is hereby changed to Vernon.

SEC. 2. Take effect. This act shall take effect from and after its passage.

Approved, January 24, 1853.

CHAPTER 86.

PROBATE.

AN ACT to amend the law in relation to executors, etc. *

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Notice—publication. That in all cases where any order of the county or probate court has been, or hereafter may be made, requiring any executor, administrator, or guardian of any estate, or person to do or perform any particular thing or things, in relation to said estate or person, and notice of such order cannot be personally served on such executor, ad-

ministrator, or guardian, service of the same be made and had by publication of such notice in some weekly newspaper published in said county four weeks in succession.

SEC. 2. **Nearest county.** When there is no newspaper published in such county, then said notice may be published in the newspaper published nearest to the county seat of the county in which said order is made, which publication may be proved as required in like cases in the district court.

SEC. 3. **Effect.** Service made as above, shall be as effectual as if personally served, and suits and proceedings may be prosecuted or commenced, had and maintained, in all respects, as if such notice or notices, order or orders, had been personally served.

Approved, January 24th, 1853.

CHAPTER 87.

POTTAWATTAMIE COUNTY.

AN ACT to legalize the assessment of Pottawattamie county, for the years 1851 and 1852.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Legalized.** That the assessment of tax for the county of Pottawattamie for the years 1851 and 1852, be and the same is hereby legalized.

SEC. 2. **Take effect.** That this act shall be in force from and after its publication in the "Western Bugle, and Guardian and Sentinel," newspapers published at Kaneshville.

Approved, January 22d, 1853.

CHAPTER 88.

TOWN SITES.

AN ACT regulating the disposal of lands purchased in trust for town sites.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Town site—enter in trust.** That whenever any portion of the surveyed public lands of the United States within any organized county in the [146] state of Iowa, has been or shall be settled upon and occupied as a town site, and therefore not subject to entry under existing pre-emption laws, it may be lawful and shall be the duty (if required by the occupants of such land) of the corporate authorities of said town, if incorporated, and if not, of the county judge of the county in which said town is situated, and if furnished by said occupants with money sufficient to enter at the proper land office, the land so settled and occupied, in trust for the several use and benefit of the occupants thereof, according to their respective interests.

SEC. 2. **Deeds—payment—proportion of expense.** After purchasing as above prescribed such land, it shall be the duty of said corporate authorities,